

06/09/20

## DRAFT PART 7. – THE HILL AREA RESIDENTIAL DISTRICT

Note: Text highlighted in yellow indicates a proposed new or modified regulation.

### Sec. 2-154. - Purpose and Intent.

The Hill Area Residential District provides for the development of low-density Single-Family, Detached Dwellings in character with the existing older structures. It is intended to maintain the visual character of the company town neighborhood which is considered significant to the history and origin of the City and to:

- A. Promote development or redevelopment that is substantially consistent and compatible with the character and physical appearance of the existing neighborhood; and
- B. Prevent encroachment of incompatible, new development that would disturb the heritage and local historical significance of the District.

### Sec. 2-155. – Definitions

The following words, terms, and phrases, when used in this Part, shall have the following meanings. For any word, phrase, or term not defined in this Section, the definitions in Chapter 10 Definitions shall apply. If any definition in this chapter is in conflict with Chapter 10 Definitions, then the definitions in this Part shall prevail:

*Garage, Attached Private* means a Private Garage that shares a common wall with or is located less than 5 feet from the Principal Building.

*Garage, Detached Private* means a Private Garage that is located at least 5 feet from the Principal Building.

*Porch* means a roofed area attached to, or part of, and with direct access to, or from, a structure and usually located on the front or side of the structure; a covered entrance or semi-enclosed space projecting from the facade of a Principal Building.

### Sec. 2-156. – Reserved.

Commented [AM1]: Expanded intent statement

Commented [AM2]: Added Definitions section that only applies to HR-1. The definitions will help distinguish between Attached Private Garages and Detached Private Garages which the current regulations do not provide. Also defining porches.

**Sec. 2-157. – Permitted Uses and Parking Schedule.**

**Table 2-157.1: Permitted Uses and Parking Schedule**

See Section 2-55. for the Key to Permitted Uses and Parking Schedule Tables.  
 P = Permitted Use    C = Conditional Use    An = Ancillary Use    Blank Box = Prohibited Use  
 P(N) or C(N) = Permitted Use or Conditional Use with Supplemental Regulations - See Notes  
 \* = Residential Proximity Conditional Use, See Section 2-55 G

Land Use	HR-1	Definition	Parking	Notes
<b>Residential</b>				
Child Care Home (≤6 Children)	P	A dwelling where state licensed care, protection, and supervision are provided, for a fee, at least twice a week to no more than six (6) children at one time, including children of the adult provider, for less than twenty-four (24) hours per day, and in accordance with the requirements of Texas Administrative Code, Title 40, Part 19.	2: Dwelling Unit	
Child Care Home (≥7 Children)	C	A dwelling where state licensed care, protection, and supervision are provided, for a fee, at least twice a week to no more than twelve (12) children at one time, including children of the adult provider, for less than twenty-four (24) hours per day, and in accordance with the requirements of Texas Administrative Code, Title 40, Part 19.	2: Dwelling Unit	
Clergy House, Monastery, or Convent	C	A dwelling where four (4) or more unrelated employees of a Place of Worship, such as religious leaders or those studying worship, live; which is located on a separate platted lot than the associated Place of Worship; and that is tax exempt as defined by State law.	1: Resident (Minimum of 4 Spaces Required)	
Community Home	P	A dwelling for not more than six (6) persons with disabilities and two (2) supervisors and is licensed under and complies with Chapter 123 of the Texas Human Resources Code.	2: Dwelling Unit	
Dwelling, Accessory	P (N)	A dwelling unit, that is attached or detached from the primary on-site structure, is used as a residence, is incidental to the main structure, and is not involved in the conduct of a business.	No Additional Parking Required	1
Dwelling, Single-Family Detached	P (N)	A building that contains only one (1) Dwelling Unit and has open space on all sides of the building.	2: Dwelling Unit	2

**Commented [AM3]:** Moved from current Sec. 2-71 Residential Districts Permitted Uses and Parking Schedule

**Commented [AM4]:** Staff recommends removing Residential Sales (Temporary), Golf Course, and HOA Clubhouse/Meeting Facility/Pool uses from the permitted uses table. These uses are not applicable in The Hill and are marked in red strikethrough text.

Residential Sales Offices (Temporary)	P (N)	<del>A temporary office used by a homebuilder to facilitate the sales of new homes within a subdivision where there are available for purchase new homes already built or to be built on lots located therein.</del>	Minimum of 4 Spaces	
<b>Institutional</b>				
Library	C	A building for the viewing and check out of books, videos and other literature.	1: 300 sq.ft.	
Parks and Recreational Facilities	P (N)	An area developed for active play and recreation that may include, but is not limited to, open space, sports courts, play equipment, trails, restrooms, and maintenance structures. The area may be owned by a public entity and used to provide recreational activities to the general public; or the area may be owned by a private, nonprofit, or homeowner's association and used to provide recreational activities to the members of the association.	1: 100 sq.ft. of Indoor Facilities Plus 1: 4 Persons Design Capacity of Outdoor Facilities (Including Both Participants and Spectators as Applicable)	3
School, Private, Elementary, Middle, and High Schools	C	A school under the sponsorship of a private or religious organization, which provides elementary, middle, and/or secondary school curricula.	<b>Elementary and Middle Schools:</b> 1:20 Students <b>High Schools:</b> 1:4 Students	
School, Public, Elementary, Middle, and High Schools	P	A school organized by a governmental entity or granted a charter under Chapter 12 of the Texas Education Code, which provides elementary, middle, and/or secondary school curricula.	<b>Elementary and Middle Schools:</b> 1:20 Students <b>High Schools:</b> 1:4 Students	
<b>Services</b>				
Child Care Facility, Daycare	C	An establishment, other than a public or private school, providing care training, education, custody, treatment or supervision for seven (7) or more children for less than twenty-four (24) hours a day at a location other than the permit holder's home. A state license is required.	1:300 sq.ft.	

Golf Course or Country Club	C	<del>A land area and buildings used for golf, including fairways, greens, tee boxes, driving range, putting green, and associated maintenance and retail facilities. This definition also includes associated clubhouses, dining rooms, swimming pools, tennis courts, and similar recreational or associated service uses.</del>	<del>1:150 sq.ft. of Indoor Facilities PLUS 4: Hole</del>	
HOA Clubhouse/Meeting Facility/Pool	P	<del>A building and/or pool owned and operated by a homeowners association that is available for usage by homeowners, typically requiring rental fee and reservation, for meetings, parties, or other private events.</del>	<del>1:300 sq.ft. (Minimum 5 spaces required)</del>	
Place of Worship	C	A building or group of buildings used for regular assembly for religious public worship and study that is used primarily for and designed for such purpose such as a church, synagogue, mosque or similar, along with accessory activities that are customarily associated therewith, such as classrooms, gathering spaces, or a place of residence for clergy on the same platted lot, and that is tax exempt as defined by State law.	With Fixed Seating: 1:3 Seats in the Main Assembly Area OR Without Fixed Seating: 1:75 sq.ft. in the Main Assembly Area	34
<b>Industrial</b>				
Utilities	C	Buildings, maintenance yards, equipment yards, service facilities, shops, utility buildings and lines, etc. used for the transmission, storage or maintenance of utilities such as electric utilities, gas utilities, cable facilities, or other public utilities.	1:300 sq.ft. of Building or as Determined by the Director of Planning	
<b>HR-1 District Supplemental Regulations</b>				
<b>1. Dwelling, Accessory</b>				
<ul style="list-style-type: none"> <li>a. A Single-Family Detached Dwelling located in the HR-1 zoning district may provide for an additional Dwelling Unit as accessory quarters located in the Principal Building or as part of a Detached garage, if: <ul style="list-style-type: none"> <li>i. The accessory quarters does not contain more than 600 square feet of Living Space, and</li> <li>ii. The occupant or occupants do not pay compensation for the use of the accessory quarters.</li> </ul> </li> </ul>				

**2. Home Occupations**

A Home Occupation is only permitted as an Accessory Use in a residential Dwelling Unit if it meets the following conditions:

- a. It is conducted wholly within the Principal Building;
- b. It is not conducted within a Private Garage, whether attached or Detached;
- c. It does not depend on the employment of a person who does not reside in the residence;
- d. A separate entrance is not provided for the conduct of the occupation;
- e. An alteration is not made in the Dwelling Unit that changes its character as a Dwelling Unit;
- f. It does not use outdoor storage;
- g. It does not involve more than 300 square feet of the area of the Dwelling Unit;
- h. A Sign Advertising the Home Occupation is not located on the Premises;
- i. It does not require the delivery or shipment of merchandise, goods, or equipment by other than passenger motor vehicles, ¾ ton step-up van or similar sized trucks;
- j. It does not create or cause any perceptible noise, odor, smoke, electrical interference or vibrations to emanate from the Premises; and
- k. It is conducted so that it does not create parking or traffic congestion or otherwise place an undue burden on the abutting or adjoining neighbors or the immediate neighborhood.

~~3. Parks and Recreational Facilities~~

~~A reduced parking requirement may be approved by the Director of Planning, or designee, when recreational facilities are included as part of a Home Owners Association facility, and a parking analysis is submitted demonstrating a lesser parking requirement is appropriate.~~

**4.3. Place of Worship**

All uses and buildings associated with and on the same campus as the Place of Worship, including assembly/gathering facilities, shall be included in the Conditional Use Permit.

**Commented [AM5]: Additional Change as a result of 5/28/20 P&Z Meeting:**  
Removal of Supplemental Regulation #3 because there is no HOA and does not apply in The Hill

**Sec. 2-158. - District Regulations.**

Due to the historic character of The Hill, there are unique regulations in this area. The following regulations are subject to review and field verification to ensure structures are not built in existing easements. The following regulations apply in the Hill Area Residential District.

**Table 2-158.1: The Hill Area Residential District**

REGULATION		
<b>LOT STANDARDS</b>		
Minimum Lot Area		6,600 sq. ft.
Minimum Lot Width	Corner Lots	70 ft.
	All Other Lots	60 ft.
Maximum Lot Width		120 ft.
Minimum Lot Depth		110 ft.
<b>FRONT YARD SETBACKS</b>		
Minimum Front Yard (Setback)		25 ft. (a)
Minimum Porch Front Yard (Setback) (applies to unenclosed front porches up to 16 feet in height) (See Figures 2-158.A & 2-158.B) <i>Glass enclosed or screened porches, and porches greater than 16 feet in height must meet Principal Structure front yard setback. Maximum height is measured from finished grade to the intersection of the highest point of the porch roof and the facade. A porch roof eave or porch step must be at least 13 feet from the front lot line. Porches must meet minimum rear, side, and street side yard setbacks.</i>		15 ft.
<b>SIDE YARD SETBACKS</b>		
Minimum Side Yard (Setback)	Residential Use (See Figures 2-158.C & 2-158.D)	10 ft.
	Nonresidential Use	25 ft.
Minimum Street Side Yard (Setback)		15 ft.
<b>REAR YARD SETBACKS</b>		
Minimum Rear Yard (Setback)		15 ft.
<b>BUILDING RESTRICTIONS</b>		
Maximum Lot Coverage		40%
Maximum Height of Principal Building		2 ½ stories, but not more than 27 ft.
Maximum F.A.R.		0.71
<b>PRIVATE GARAGE RESTRICTIONS (Attached and Detached)</b>		
Minimum Private Garage Setback from front façade of Principal Building, not including porch (See Figures 2-158.E & 2-158.F)		15 ft.

**Commented [AM6]: Additional Change as a result of 5/28/20 P&Z Meeting:**  
Additional language added to clarify that district regulations such as setbacks are subject to field verification and structures should be built in utility easements.

**Commented [AM7]:** The following regulations were moved from the current Development Code Section 2-72 Residential District Regulations. Staff reformatted the following table by adding major headers throughout the table to navigate more easily.

**Commented [AM8]:** Proposing front yard setback only for unclosed porches 16 feet in height. The height requirement prohibits a second story above the porch to encroach into the 25-foot required setback.

**Commented [AM9]:** Proposing Private Garages, regardless whether it is attached or detached, to locate 15 feet behind the front façade of the home, not including the porch. Detached garages located in the rear part of the lot is a prominent character feature in The Hill.

Minimum Street Side Yard (Setback)	Front Load (garage doors facing front lot line)	15 ft.
	Side Load (garage doors facing street side lot line)	20 ft.
Maximum of one Private Garage permitted per lot.		
ATTACHED PRIVATE GARAGES		
Attached Private Garages are considered part of the Principal Building and must comply with the Principal Building regulations.		
DETACHED PRIVATE GARAGES		
Maximum Garage Size	Lots Less than or equal to 6,000 sq. ft.	600 sq. ft.
	Lots Greater than 6,000 sq. ft.	10% of Lot Area
Minimum Street Side Yard (Setback)	Front Load (garage doors facing front lot line)	15 ft.
	Side Load (garage doors facing street side lot line)	20
Detached Garage Minimum Distance from Principal Building <i>For purposes of defining attached vs detached garage, a Private Garage connected to a Principal Building by a covered breezeway shall not be considered part of the Principal Building provided that the Private Garage is at least five (5) feet from the Principal Building. The breezeway must be no more than six (6) feet wide as measured from edge-of-eave to edge-of-eave, must be unenclosed and must be free of any obstacles at ground level, excluding structural posts of the breezeway.</i>		5 ft.
Detached 1-Story Garage	Maximum Height	16 ft. (b)
	Minimum Side Yard (Setback)	1.5 ft.
	Minimum Rear Yard (Setback)	1.5 ft.
<i>For 1-Story Detached Garages, eaves must be a minimum of 6 inches from side or rear lot line. This requirement supersedes regulations found in Sec. 2-176 Allowed Yard Obstructions.</i>		
Detached 2-Story Garage	Maximum Height	27 ft. (b)
	Minimum Side Yard (Setback)	10 ft.
	Minimum Rear Yard (Setback)	15 ft.
<b>REFERENCES</b>		
<p>a. For Cul-de-sac Lots, the Front Yard Setback is reduced by 5 feet.</p> <p>b. Maximum Height as measured from finished grade to the highest point of the Structure.</p> <p>Additional Regulations: See also Article III: Height and Area Regulations and Article IV: Supplemental Regulations for additional regulations. Note: Parking setback requirements are detailed in Chapter 2, Article V: Off-Street Parking and Loading Regulations.</p>		

**Commented [AM10]: Additional Change as a result of 5/28/20 P&Z Meeting:**  
Moved up regulation to clarify that it applies to Private Garages (both attached and detached).

**Commented [AM11]:** Clarified only one garages should be allowed per lot.

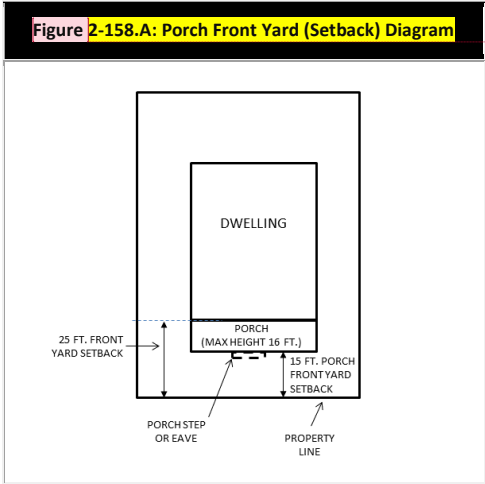
**Commented [AM12]:** Proposing Attached Private Garages follow Principal Building setbacks.

**Commented [AM13]:** Proposing a minimum distance requirement from the Principal Building. This requirement is also found in the City's Mixed Use Conservation District.

**Commented [AM14]:** Proposing a maximum height requirement for Detached 1-Story garages that will follow the existing 1.5-foot setbacks.

**Commented [AM15]:** Proposing setbacks from edge of eave to side or rear property lines to help mitigate rainfall onto neighboring properties.

**Commented [AM16]:** Proposing 2-Story Detached garages follow Principal Building setbacks.



**Commented [AM17]:** Included additional diagrams that will help staff and the public understand the proposed regulations. Please note these diagrams are not drawn to scale.

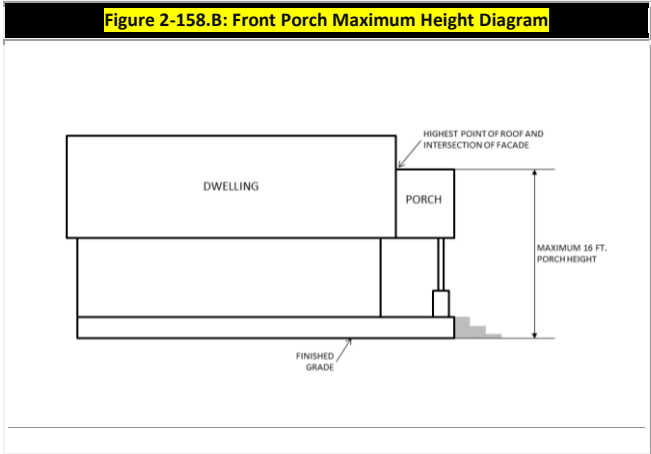




Figure 2-158.C: Residential Yard (Setback) Diagram

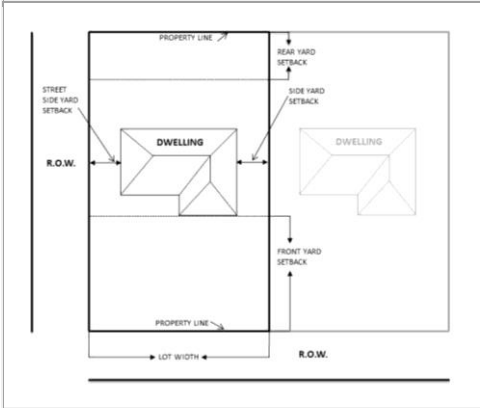


Figure 2-158.D: Residential Yard (Setback) Diagram – Side Yard Setback at Reserve

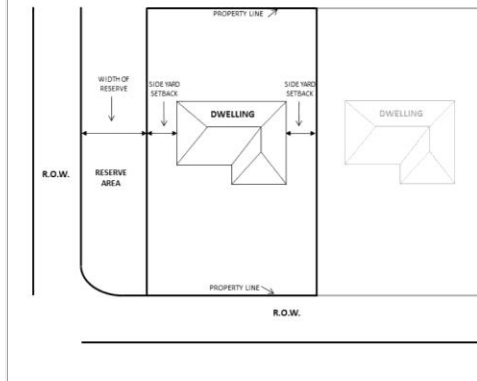


Figure 2-158.E: Attached Garage Setback from Front Façade of Principal Building Diagram

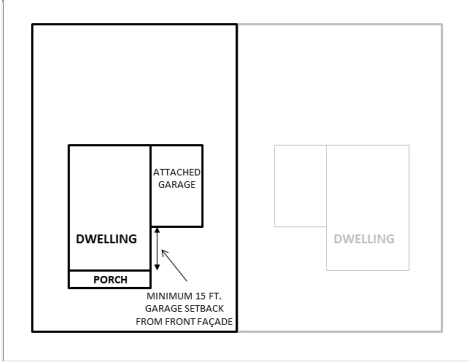
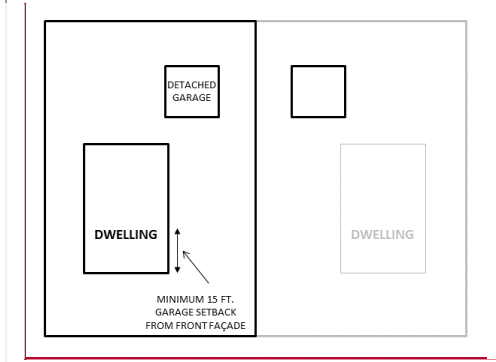


Figure 2-158.F: Detached Garage Setback from Front Façade of Principal Building Diagram



**Commented [AM18]:** Additional Change as a result of 5/28/20 P&Z Meeting:  
Remove callout for detached garage 5-foot separation requirement. Image has been deleted and replaced with a revised diagram.

### Sec. 2-159. Supplemental Regulations for Accessory Structures

- A. The regulations of this Section shall govern over regulations contained in Article IV. Sec. 2-192. Accessory Structures.
- B. Accessory Structures are subject to the same regulations as apply to Principal Buildings, except as otherwise specified in this Section.
- C. An Accessory Structure must not be established on any Lot prior to the establishment of the Principal Building.
- D. *Sheds.* Lots 6,600 square feet or less may have a shed that is up to 200 square feet. Lots greater than 6,600 square feet may have a shed that does not exceed 3% of the lot area. If more than 1 shed is provided, this requirement applies to the total square feet of all sheds.
- E. Maximum Size of all Accessory Structures –225 square feet or 25% of the required rear yard setback, whichever is greater for total square footage;
- F. An Accessory Structure other than Private Detached Garages must comply with the following regulations:
  - 1. Maximum Height–16 feet as measured from finished grade to the highest point of the Structure;
  - 2. Minimum Side Yard (Setback)–5 feet;
  - 3. Minimum Rear Yard (Setback)–5 feet;
  - 4. Minimum Distance from Principal Building–5 feet;
  - 5. Minimum Setback from front façade of Principal Building, not including porch–15 feet.
- G. Accessory Structures must not be located within a parking lot setback as identified in Article V: Off Street Parking and Loading Regulations.

**Commented [AM19]:** Copied applicable regulations from Sec. 2-192

**Commented [AM20]:** Proposing that Accessory Structures, other than garages, match the regulations proposed for 1-Story Detached garages.